

references do not disclose, nor otherwise suggest, the claimed subject matter, whether considered individually or in combination.

Claim 86 recites a system for presenting customized bundled products to members of a group for purchase on a vendor's e-commerce site. The first claimed component of this system is a server application that is responsive to a request from an authorized user associated with the group to present a first interface that enables the user to define a plurality of virtual bundles, where each virtual bundle comprises a set of one or more products that are supplied by the vendor and selected by the authorized user. In connection with this claimed subject matter, the Office Action refers to the Henson patent at column 14, lines 35-61, which describes a feature identified as Premier Pages. The Office Action further refers to the Business Wire article for its additional discussion of Premier Pages. It is respectfully submitted that neither of these descriptions of Premier Pages relates to the claimed subject matter.

At column 14, lines 35-37, the Henson patent states that Premier Pages is an example of a particular type of customer set in which *discount pricing* is private and the information is password protected. The patent goes on to state that each customer set will see a version of the online stores specific to that customer set. Thus, one customer set may see a certain price for the products of the vendor, whereas members of a different customer set will see a different price for those same products. The discussion of Premier Pages in the Business Wire Article is consistent with this disclosure. It states that Premier Pages are "customized, secure Web sites that Dell creates for its corporate and public-sector customers." It goes on to identify the specific products provided on these pages, which are "designed for

business and institutional customers." The article does not identify the nature of the customization, except to state that it is specific to individual customers.

The Office Action does not identify where either of these references discloses a server application that is responsive to a request from an authorized user to present a first interface that enables the user to define a plurality of virtual bundles. As recited in claim 86, each virtual bundle comprises a set of one or more products supplied by the vendor "and selected by said user". At best, the references only disclose that when a customer accesses a secure website, for example by means of a password, that customer views a page that is customized for the group to which the customer belongs. The customization may involve discount pricing for the products.

The fact that the ultimate customer can view a page that is customized for the customer set to which that customer belongs does not disclose the claimed subject matter. Neither the cited passage in the Henson patent, nor the Business Wire article, disclose how the page is initially customized. More particularly, neither of them disclose that an interface is provided to an authorized user associated with the group via which that user can define the plurality of virtual bundles of the vendor's products.

The currently pending claims do not merely recite the concept of a customized web page that a member of a particular group can view, for purchasing a vendor's products. Rather, the claims recite a system, method and associated computer program that enable an authorized member of the group to define the bundles of products that the other members of the group will be able to purchase. Thus, for example, a school administrator can define various computer systems having

configurations that are compatible with the curriculum of the school. Thereafter, the school's students can purchase those computer systems without having to configure them as part of the purchase, and without the need to worry about whether a particular configuration is going to work for their needs.

The Henson patent is directed to an entirely different approach to online purchasing. The fundamental concept that underlies the system of the Henson patent is that the customer is enabled to configure his or her own particular computer system, as part of the purchase process. For example, at column 4, lines 36-52, the patent states that "an on-line store is one component of an Internet website for which a customer may go to configure a particular computer system, for example, *according to desired options of the customer...* Upon selection of a particular product, the on-line store presents that customer with the ability to go to the product information for a particular product, *customize the product, price the customized product...*" (emphasis added). Thus, the idea behind the Henson patent is that the customer can select and purchase a customized configuration for his or her computer system. In contrast, the claims are directed to a system in which the computer configurations are predefined for the members of the group, in the form of virtual bundles that are presented upon accessing the vendor's website.

It is respectfully submitted that the Henson patent does not disclose an arrangement in which an authorized user associated with a group can access an interface to define virtual bundles, which are subsequently available for selection by members of the group upon accessing the vendor's website. If the rejection of claim 86 is not withdrawn, the Examiner is requested to identify, with particularity, where the references disclose (a) the concept of virtual bundles, (b) that an authorized user

associated with a group can define a plurality of virtual bundles, and (c) the interface via which such definition takes place. In the absence of a showing of these specific claimed features in the references, it is respectfully submitted that the rejection is not supported, and should be withdrawn.

Claim 89 recites that the first interface enables the authorized user "to indicate the order in which the defined virtual bundles of products are displayed in said second interface." Since the references do not disclose the claimed first interface, as discussed above, they cannot be interpreted to suggest this further claimed feature.

It is noted that, in rejecting claim 89, the Office Action characterizes the subject matter of the claim as "admitted prior art." Applicant respectfully traverses this statement, since there is no such admission in the record. The Office Action refers to page 6 of the Office Action dated 28 February 2003. As of the date of that Office Action, there was no pending claim that recited the subject matter of claim 89. Furthermore, that earlier Office Action does not address the feature of an interface that enables an authorized user to not only define virtual bundles of products, but also to indicate the order in which they are to be displayed to a purchaser. It is respectfully submitted that a rejection of a claim cannot rely upon a statement in an earlier Office Action as a basis for rejecting that claim, when the earlier Office Action does not even address the subject matter of the rejected claim.

Claim 92 recites that the database stores (a) base prices for the products supplied by the vendor, and (b) a pricing tier for the group, and further recites that the information stored for a virtual bundle includes a group price "computed from said base price and pricing tier." In rejecting this claim, the Office Action refers to

statements in the Henson patent relating to discounted pricing. It is respectfully submitted that this disclosure does not suggest the claimed subject matter. The claim is not directed to discount pricing, per se. Rather, it recites the particular manner in which the pricing for a group is computed, in accordance with two factors, namely a base price and a pricing tier. The Office Action has not identified where the reference discloses that the pricing for a particular customer set, e.g. the discount pricing, is based upon a combination of these two factors.

For at least the foregoing reasons, it is respectfully submitted that the subject matter of claims 86 and 88-93 is not suggested by the references, whether they are considered individually or in combination. For at least these same reasons, the other pending claims are likewise submitted to be patentably distinct from the prior art references.

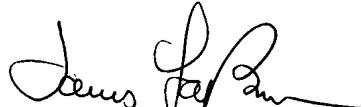
Reconsideration and withdrawal of the rejection, and allowance of all pending claims is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 4, 2007

By:



James A. LaBarre
Registration No. 28632

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620